

REMARKS/ARGUMENTS

In view of the amendments and remarks herein, favorable reconsideration and allowance of this application are respectfully requested. Claims 12 and 19 have been hereby amended, claim 24 has been added, and claim 21 has been cancelled. Claims 12 and 15-24 are pending examination.

Claim 12 and 15-23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Martin et al. (U.S. Pat. 5,848,398 “Martin”) in view of Johnny Rockets Name That Tune (“Johnny Rockets”) and further in view of Tom & Liz’s Name That Tune (“Tom & Liz”) and Winsky et al (U.S. Pat. 5,739,451). For at least the following reasons, Applicant believes that the pending claims, as amended, are allowable over the prior art of record.

Every element of the combination taught in independent claims 12 and 19 is not present in the applied references. For example, claim 12 recites, *inter alia*, “wherein the jukebox system is operable to randomly generate a question about the selected recording, to provide a correct answer relating to the question, and to randomly generate a number of wrong answers relating to the question.” Claim 19 recites a similar limitation.

This limitation was previously partially present in claim 21. According to the Office Action “Winsky teaches a musical trivia game wherein the game is further operable to randomly select a question about the selected recording from a list of predetermined questions (col. 8, lines 20-30). First, Applicant notes that Winsky actually teaches randomly selecting a song, about which questions are asked, not randomly selecting a question. Second, Applicant notes that, even if Winsky is considered to teach randomly selecting a question from a list of predetermined questions, random selection of a question is claimed in claim 20, and claim 12, as amended, claims random generation of a question. Generating a question and selecting a question are not

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the same thing. The Office Action continues on to characterize the randomly selected questions as randomly generated questions, commingling the terms. Applicant's claims, however, make it clear that at least two different modes are in operation.

Nor does Winsky or any of the other prior art teach random generation of wrong answers relating to a question.

None of the prior art of record teaches random generation of a question and wrong answers. Thus, for at least this reason, Applicant submits that claims 12 and 19 are allowable over the prior art of record. Claims 15-18 and 20-23 should be allowable based at least on their dependency from allowable claim 12.

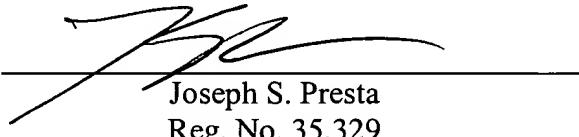
New claim 24 should additionally be allowable based at least on their dependency from allowable claim 12.

For at least the reasons presented herein, Applicant submits that the claims are allowable over the prior art of record. Thus reconsideration and allowance are respectfully requested. If the Examiner has any questions, he is invited to contact the undersigned at the number provided below.

Respectfully submitted,

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